

**WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP**

DON SPRINGMEYER, ESQ. (SBN 1021)

BRADLEY SCHRAGER, ESQ. (SBN 10217)

JUSTIN JONES, ESQ. (SBN 8519)

3556 E. Russell Road, Second Floor

Las Vegas, Nevada 89120

(702) 341-5200/Fax: (702) 341-5300

dspringmeyer@wrslawyers.com

bschrager@wrslawyers.com

jjones@wrslawyers.com

*Attorneys for Individual and Representative Plaintiffs*

*Cung Le, Nathan Quarry, Jon Fitch, Luis Javier*

*Vazquez, Brandon Vera, and Kyle Kingsbury*

*(Additional counsel appear on signature page)*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Cung Le, Nathan Quarry, Jon Fitch, Brandon  
Vera, Luis Javier Vazquez, and Kyle Kingsbury,  
on behalf of themselves and all others similarly  
situated,

Plaintiffs,

v.

Zuffa, LLC, d/b/a Ultimate Fighting  
Championship and UFC,

Defendant.

Lead Case No.: 2:15-cv-01045-RFB-(PAL)

**PLAINTIFFS' MOTION FOR LEAVE  
TO FILE RESPONSE BRIEF IN EXCESS  
OF PAGE LIMITS IMPOSED BY  
LOCAL RULE II 7-3**

Pursuant to Local Rule II 7-3(c), Plaintiffs Cung Le, *et al.*, on behalf of themselves and all others similarly situated (collectively, "Plaintiffs"), by and through their undersigned attorneys, move for leave to file Plaintiffs' response brief to Defendant's Motion for Partial Summary Judgment as to Plaintiff Nathan Quarry on Statute of Limitations Grounds (ECF No. 347) in excess of page limits imposed by Local Rule II 7-3. This Motion is based upon the pleadings and papers on file herein, the Memorandum of Points and Authorities below, and all papers exhibits on file in this case, along with any oral argument at hearing on this matter.

///

///

**MEMORANDUM OF POINTS AND AUTHORITIES**

Local Rule II 7-3(c) empowers the Court to permit a party to file a response to a motion in excess of thirty pages. The Court retains the authority to modify or relax such rule. *Veterinary Ventures, Inc. v. Farris*, 2010 WL 3070423, at \*2 (D. Nev. Aug. 3, 2010) (citing *Gennock v. Warner-Lambert Co.*, 208 F. Supp. 2d 1156, 1158 (D. Nev. 2002)).

Zuffa's Statement of Undisputed Material Facts in support of its Motion for Partial Summary Judgment as to Plaintiff Nathan Quarry (the "Motion") attaches a list of 53 allegedly undisputed material facts which cover ten full pages. ECF No. 347-1. In order to address Zuffa's allegedly undisputed material facts, many of which Plaintiffs dispute, Plaintiffs created a chart to show Zuffa's facts and Plaintiffs' responses side-by-side. *See* Declaration of Kevin E. Rayhill, attached hereto as Exhibit 1. This chart alone requires a minimum of twenty pages. Plaintiffs also adduce approximately nineteen additional material facts, which require only approximately five pages. *Id.* As they currently stand, Plaintiffs' brief and additional material facts taken together are well within the page limits set forth in the Local Rules. Only the need to respond to Zuffa's fifty-three facts puts Plaintiffs' total submission over the page limit. Accordingly, Plaintiffs seek leave from the Court to exceed the page limit imposed by L.R. II 7-3. Plaintiffs estimate that they will require approximately twenty to twenty-five extra pages to address Zuffa's alleged undisputed material facts. *See id.*

In order to fully address the issues raised by Zuffa's Motion, Plaintiffs seek leave from the Court to exceed the page limit set by the Local Rules by approximately twenty to twenty-five extra pages. The extra twenty-five pages are necessary because of the voluminous nature of the disputed facts, the intricate and complex issues of this case evidenced by the number of docket entries, and the need for full discussion of the issues involved in any dispositive motion. *Id.* Plaintiffs respectfully submit that permitting a brief in excess of the page limit will assist the Court in ruling on pending motion.

With that said, in order to properly address the wide-ranging arguments set forth by Defendant, Plaintiffs respectfully ask this Court to enter an order granting leave to file a response

1 brief in excess of thirty pages, otherwise many critical arguments will not be adequately  
2 addressed.

3 DATED this 23rd day of March, 2017.

4  
5 By: /s/ Bradley Schrager

6 DON SPRINGMEYER, ESQ. (SBN 1021)  
7 BRADLEY SCHRAGER, ESQ. (SBN 10217)  
8 JUSTIN JONES, ESQ. (SBN 8519)  
9 WOLF, RIFKIN, SHAPIRO, SCHULMAN &  
10 RABKIN, LLP  
11 3556 E. Russell Road, Second Floor  
12 Las Vegas, Nevada 89120

13 *Attorneys for Individual and Representative*  
14 *Plaintiffs Cung Le, Nathan Quarry, Jon Fitch, Luis*  
15 *Javier Vazquez, Brandon Vera, and Kyle*  
16 *Kingsbury*

17 IT IS SO ORDERED:

18  
19  
20  
21  
22  
23  
24  
25  
26  
27



RICHARD F. BOULWARE, II  
United States District Judge

DATED this 21st day of April, 2017.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23rd day of March, 2017, a true and correct copy of **PLAINTIFFS' MOTION FOR LEAVE TO FILE RESPONSE BRIEF IN EXCESS OF PAGE LIMITS IMPOSED BY LOCAL RULE II 7-3** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By: /s/ Christie Rehfeld  
Christie Rehfeld, an Employee of WOLF,  
RIFKIN, SHAPIRO, SCHULMAN &  
RABKIN, LLP

## Exhibit “1”

### Declaration of Kevin E. Rayhill

## Exhibit “1”

**DECLARATION OF KEVIN E. RAYHILL**

I, Kevin E. Rayhill, declare and state as follows:

1. I am an attorney at the Joseph Saveri Law Firm, Inc. (“JSLF”), Co-Lead Counsel for the Classes and Attorneys for Individual and Representative Plaintiffs Cung Le, Nathan Quarry, Jon Fitch, Luis Javier Vazquez, Brandon Vera, and Kyle Kingsbury in the above-captioned matter. I am a member in good standing of the State Bar of California, and have been admitted to this Court *pro hac vice*. I am over 18 years of age and have personal knowledge of the facts stated in this Declaration. If called as a witness, I could and would testify competently to them.

2. I make this declaration in support of Plaintiffs’ Motion For Leave To File Response Brief In Excess Of Page Limits Imposed By Local Rule II 7-3.

3. Plaintiffs have drafted their opposition to Zuffa’s Motion for Partial Summary Judgment as to Plaintiff Nathan Quarry. As it currently stands, the opposition brief runs to approximately twenty-three pages, and the additional material facts cover approximately five pages. Together they are well within the page limits set by the Local Rules.

4. Plaintiffs have also drafted responses to Zuffa’s Statement of Undisputed Material Facts. Zuffa has asserted fifty-three undisputed material facts covering ten full page, many of which Plaintiffs dispute. Plaintiffs have created a chart which sets Zuffa’s asserted undisputed facts side-by-side with Plaintiffs responses. This chart covers approximately twenty pages.

5. Plaintiffs request an additional twenty to twenty-five extra pages for the response brief to address the voluminous nature of the disputed facts, explain the intricate and complex issues of this case as evidenced by the number of docket entries, and the need for full discussion of the issues involved in any dispositive motion.

///

///

///

///

1 I declare under penalty of perjury that the foregoing is true and correct and this  
2 Declaration is executed at San Francisco, California on March 23, 2017.

3  
4 By: s/ Kevin E. Rayhill  
5 Kevin E. Rayhill  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27